IN THE HIGH COURT OF JUDICATURE
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION NO :27521 of 1998

Dated: 19th July 2007.

Between:

Ch.Rajanna, S/O Ramulu, Aged 32 years, Occ: Driver E.No.850330, R/o Kadiam Village & Mandal, Adilabad District.

..... PETITIONER

AND

The A.P.S.R.T., rep by its Managing Director, Musheerabad, Hyderabad and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

W.P.NO.27521 OF 1998

ORAL ORDER:

The present writ petition has been instituted calling in question the validity of the proceedings No.E1/684(3)/98 UTNR dated 22-08-1998, issued by the Depot Manager, Utnoor Depot of the A.P.S.R.T.C.

Heard the learned counsel for the petitioner and Ms. P.Rajani Reddy for the learned Standing Counsel for the respondent-Corporation.

The writ petitioner was initially working as a daily wage driver from 17-04-1997. As a part of verification exercise of the driving licenses produced by such daily wage drivers, the Respondent-Corporation has solicited the information from the Licensing Authority, who reported that the driving license produced by the writ petitioner was not a genuine one. In view of the same, sthe impugned order has been passed calling upon the writ petitioner to show cause within fifteen days as to why his services should not be terminated with immediate effect.

The petitioner contends that the serious allegation thrown against him is not based upon proper and correct appreciation of the facts. The writ petitioner asserts that he has not produced any false or fabricated driving license which was sin his favour and on the contrary as he had obtained the driving license from the competent licensing authority, which, in fact, was also renewed subsequently.

These are all matters relating to the factual verification of the record. The writ petitioner is entitled to use all the material available with him to disprove the allegation levelled against him and at the same time, the respondent-Corporation management is also required to make available a copy of the report, which they have obtained from the licensing authority, so as to enable the writ petitioner to verify the veracity of the findings recorded by the licensing authority and bring forth any other material available in his defence.s

Since, the issue has got to be factually resolved by the respondents, I consider that no useful purpose will be served by keeping this writ petition pending any further.

It would be appropriate for the writ petition to submit a detailed representation in reply to the impugned show cause notice and file the same before the competent authority, duly enclosing all such material, which enables the respondent-Corporation to come to a conclusion one way or the other about the genuineness of the claim of his driving license. After receipt of the explanation from the writ petitioner within a period of three weeks from now, the same will be considered, with reference to the report from the licensing authority as well as the material produced by the writ petitioner and only then an appropriate decision be taken. Till such time, the decision is taken one way or other I have no reason to doubt that the respondent-Corporation would not

continue the writ petitioner in service, if they have not already stopped him.

With the above directions, the writ petition is disposed of, but however, in the circumstances, there shall be no order as to costs.

Nooty Ramamohana Rao, J

mrk

19th July 2007.